

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. David Bryan Eakin, Garret Michael Eakin John Lester Eakin	For U. S.: Nathan G. Graham Ben F. Baker For Defendant: Irvine Ungerman (Retained) 6 th Floor- Wright Bldg. Tulsa, Oklahoma

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-30-70	Clerk				
J.S. 3 mailed 11-30-70	Marshal				
Violation Conspired & Smuggled marihuana & Hashish into USA	Docket fee				
Title 21					
Sec. 176(a) 3 cts.					
21:4744(a)(2) 1 ct.					

DATE	PROCEEDINGS
10-5-70	Certified transcript of case #70-L-612, transferred under Rule 20 from USDC, Southern District of Texas, Laredo, Texas, filed. g Consent to transfer for plea & sentence by David Bryan Eakin. Consent to transfer for plea & sentence by Garret Michael Eakin. Consent to transfer for plea & sentence by John Lester Eakin. Indictment.
10-19-70	Motion for bench warrant. Order for bench warrant. Docket entries.
10-19-70	Appearance bond of David Bryan Eakin, filed; surety J. L. Eakin.
10-19-70	Order specifying methods and condition of release of David Bryan Eakin, filed, amount of \$5,000.00.
10-19-70	Appearance bond of John Lester Eakin, filed; amount Mary L. Eakin and J. L. Eakin, \$5,000.00, filed. b
10-19-70	Order specifying methods and condition of release of John Lester Eakin filed.
10-19-70	Appearance bond of Garrett Michael Eakin, filed. amount of \$5,000.00, sureties - Mary L. Eakin and J. L. Eakin. b
10-19-70	Order specifying methods and conditions of release of Michael Eakin, filed. b

DATE	PROCEEDINGS
10-21-70	<p>Defendants each present and each represented. Defendant David Bryan Eakin arraigned and enters plea of GUILTY as to Ct. 4, and is adjudged GUILTY as charged in Ct. 4, and at request of govt. Cts. 1,2&3 are dismissed as to David Bryant Eakin. Defendant Garrett Michael Eakin arraigned and enters plea of GUILTY as to Ct. 4, and is adjudged GUILTY as charged in Ct. 4, and at request of govt. cts. 1,2&3 are dismissed as to Garrett Michael Eakin. Defendant John Lester Eakin arraigned and enters plea of GUILTY as to Ct. 4, and is adjudged GUILTY as charged in Ct. 4, and at request of govt. Cts. 1,2&3 are dismissed as to John Lester Eakin. Each of defendants waive jury, and waivers of jury as to David Bryant Eakin, Garrett Michael Eakin and John Lester Eakin are filed. Each of defendants waive Fifth Amendment rights, and waivers of Fifth Amendment rights are filed as to David Bryan Eakin, Garret Michael Eakin and John Lester Eakin. Sentence as to each defendant is passed to Tues. November 3, 1970 at 10:00 A.M. (AEB-J)h</p>
11-2-70	<p>Defendants each present in person and each represented.</p> <p>Judgment and Sentence-David Bryan Eakin (Age 18) Ct. 4- It is adjudged that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) years from this date, and the special conditions of probation are that the defendant finish his college education, does not drive a vehicle, unless to and from school, and with the consent of parents, and only leaves district to attend school. pursuant to YCA</p> <p>Judgment and Sentence- Garrett Michael Eakin (Age 22) Ct. 4- It is adjudged that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of One (1) years from this date; and the special conditions of probation are that the defendant continue and graduate school, enter the Armed Forces, leave district only to attend school, and seek obtain employment in the summer. (AEB-J)h</p> <p>Judgment and Sentence- John Lester Eakin (Age 24) Ct. 4- It is adjudged that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Three (3) years from this date, pursuant to YCA, and the special conditions of probation are that the defendant does not violate any traffic laws, continue and finish schooling and seek employment for summer. (AEB-J)h</p> <p>11-2-70 Order of Probation as to David Bryan Eakin filed & entered; 2 C.c to Prob. Office</p> <p>11-2-70 Order of Probation as to Garrett Michael Eakin filed & entered; 2 c.c. to Prob. Office</p> <p>11-2-70 Order of Probation as to John Lester Eakin filed & entered; 2 c.c. to Prob. Office</p> <p>11-19-70 Order of discharge from probation as to Garrett Michael Eakin, filed. (AEB-J)g</p> <p>11-30-71 Order of Discharge from Probation of John Lester Eakin, filed. (AEB-J)v</p> <p>11-30-71 Certificate of Vacation of Conviction as to John Lester Eakin, filed. (AEB-J)v</p> <p>6-4-73 Certificate of Vacation of Conviction as to David Bryan Eakin, filed. (AEB-J)jj</p> <p>6-4-73 Order of Discharge From Probation of David Bryan Eakin, filed. (AEB-J)jj</p>

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver 411 U. S. Courthouse, Tulsa, Okla.
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET NO. 1 CASE NO. 146
THE UNITED STATES
vs.

John Lester Eakin

Complaint filed on Aug. 6, 1970, by V. Bailey Thomas
Official title Clerk charging violation of
United States Code, Title 21, Section 176(a), on Aug. 6,
1970, at Laredo, Tex. in the
division of the Southern district of Texas
as follows: Conspiracy to smuggle, Transport and
conceal a quantity of marihuana into the United
States, and substantive offenses.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Warrant/Summons for
to (name and title of officer)
Substance of return

17364
FILED
(Name of defendant)

Date Warrant/Summons for
to (name and title of officer)
Substance of return

OCT-19-1970
JOHN H. POE, Clerk
U. S. DISTRICT COURT
(Name of defendant)

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Aug. 20, 1970 Arrested by Harry Connolly
U. S. Marshal
Ben F. Baker
on warrant of V. Bailey Thomas
(Name of issuing officer)
without warrant.

Appearances { for United States Ben F. Baker
(Name) (Address)
for accused Irvine Ungerman
(Name) (Address)

Proceedings taken on August 20, 1970, above defendant present and with his

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
counsel Irvine Ungerman was advised of charge filed against him in Laredo,

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
Tex. and a copy of the Indictment given to the accused. Bond is set in the
if that is the fact; any adjournments taken, etc.

amount of \$5,000.00 unsecured bond, bond is made and the accused is release.

Removal Hearing is set for the 18th of Sept. 1970 at 1:30 P.M.

October 15, 1970

Outcome Case removed here from Texas on Rule 20, our cases # 70-CR-144

Bail fixed August 20, 1970. Amount, \$5,000.00 Bonded August 30, 1970, by cash
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

October 15, 1970

Cases removed here from Texas on Rule 20, our case # 70-CR-144

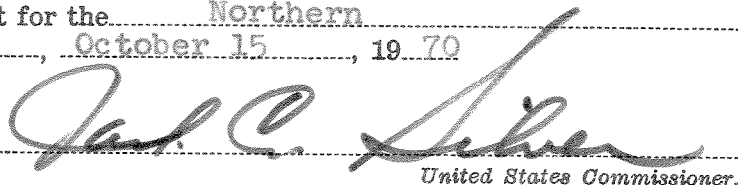
Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 15th day of October, 19 70

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, October 15, 19 70


United States Commissioner.

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE JACK C. SILVER U. S. Courthouse, Tulsa, Oklahoma
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 144
THE UNITED STATES
vs.

Garret Michael Eakin

Indictment

Complaint filed on Aug. 6, 1970, by V. Bailey Thomas
Official title Clerk charging violation of
United States Code, Title 21, Section 176(a), on Aug. 6,
1970, at Laredo, Tex. in the
division of the Southern district of Texas
as follows: conspiracy to smuggle, transport and
conceal a quantity of marihuana into the United
States, and substantive offenses.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Warrant/Summons for 17364
to (name and title of officer) (Name of defendant)
Substance of return FILED

Date Warrant/Summons for OCT 19 1970
to (name and title of officer) JOHN H. POE, Clerk (Name of defendant)
Substance of return U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Aug. 20, 1970 Arrested by Harry Connolly on warrant of V. Bailey Thomas
U.S. Marshal (Name of issuing officer)
without warrant.

Appearances { for United States Ben F. Baker (Name) (Address)
for accused Irvine ~~MMNXX~~ Ungerman (Name) (Address)

Proceedings taken on August 20, 1970, above defendant present and with his

(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"
counsel Irvine Ungerman was advised of charge filed against him in Laredo,

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
Tex. and a copy of the Indictment given to the accused. Bond is set in the

if that is the fact; any adjournments taken, etc.

amount of \$5,000.00 unsecured bond, bond is made and the accused is release.

Removal Hearing is set for the 18th of Sept. 1970 at 1:30 P.M..

Outcome Case removed here From Texas on Rule 20. Our case #144

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deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name) _____

(Address) _____

Accused

(Name) _____

(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Case is removed here from Texas, our case number 70-CR-144

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 15th day of October, 19 70

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma Oct. 15, 19 70



United States Commissioner.

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

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THE UNITED STATES
vs.

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as follows: Conspiracy to smuggle, transport and
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WARRANTS OR SUMMONS ISSUED:

Date Warrant/Summons for
to (name and title of officer)
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

17364
FILED

OCT 19 1970

JOHN H. POT, Clerk
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Aug. 20, 1970 Arrested by Harry Connolly
U.S. Marshal

Appearances { for United States Ben F. Baker
for accused Irvine Ungerman

Proceedings taken on August 20, 1970, above defendant present and with his

counsel Irvine Ungerman was advised of charge filed against him in Laredo,
Tex. and a copy of the indictment given to the accused. Bond is set in the
amount of \$5,000.00 unsecured bond, bond is made and the accused is release.
Removal Hearing is set for the 18th of Sept. 1970 at 1:30 P.M.

Outcome Case removed here from Texas on Rule 20, Our case # 70-CR-144

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(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name) _____

(Address) _____

Accused

(Name) _____

(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Oct. 15, 1970, Case removed here from Texas on Rule 20, Case 70-CR-144

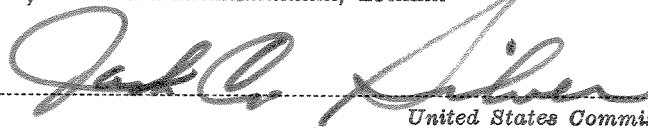
Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 15th day of October, 1970

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, October 15, 1970



United States Commissioner.